

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Oct 05, 2022

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAMIE BRYANT LEE SARAZIN,

Plaintiff,

v.

3M, TYCO FIRE PRODUCTS,
FAIRCHILD AIRFORCE BASE,
DEPARTMENT OF DEFENSE and
THOMAS K. BROWN (3M Board of
Directors),

Defendants.

NO: 2:22-CV-00074-RMP

ORDER DISMISSING ACTION FOR
FAILURE TO PROSECUTE

Plaintiff Jaime Bryant Lee Sarazin filed a *pro se* Civil Rights Complaint on April 20, 2022, while he was incarcerated at the Monroe Correctional Complex – Twin Rivers Unit. ECF No. 1. By Orders filed May 23, 2022, the Court granted Plaintiff leave to proceed *in forma pauperis*, advised him of the deficiencies of his complaint and granted him leave to amend or voluntarily dismiss within sixty (60) days. ECF Nos. 9 and 10.

1 Plaintiff subsequently notified the Court of his change of address to a
2 Spokane residence on May 27, 2022, ECF No. 11. The Court then directed
3 Plaintiff to file a new *in forma pauperis* application as the mechanism to collect the
4 filing fee in incremental payments was no longer available because Plaintiff was
5 no longer incarcerated. *See* ECF No. 12. Plaintiff did not comply with this Order.

6 On August 19, 2022, Plaintiff notified the Court of a subsequent change of
7 address to a residence in Dickinson, North Dakota. ECF No. 16. Copies of the
8 following documents were mailed to Mr. Sarazin at that address: Order Granting
9 Application to Proceed *In Forma Pauperis* and Directing Institution to Calculate,
10 Collect, and Forward Payment, ECF No. 9; Order to Amend or Voluntarily
11 Dismiss Complaint, ECF No. 10; Order to File New Application to Proceed *In*
12 *Forma Pauperis*, ECF No. 12 and Order Denying Motion for Appointment of Pro
13 Bono Counsel, ECF No. 13. *Id.* The deadline to pay the filing fee or file a new
14 IFP application was extended to September 19, 2022, and the deadline to Amend
15 or Voluntarily Dismiss Complaint set for October 18, 2022.

16 The Court explicitly warned Plaintiff that if he did not file a new application
17 to proceed *in forma pauperis* as required by 28 U.S.C. § 1915(a)(1), or pay the full
18 \$402.00 fee (\$350.00 filing fee + \$52.00 administrative fee), his case would be
19 dismissed for failure to prosecute. ECF No. 12 at 2. Plaintiff did not comply with
20 the Court's directives, and he has filed nothing further in this case.

1 Accordingly, **IT IS HEREBY ORDERED** that this action is dismissed
2 without prejudice for failure to prosecute, pursuant to Federal Rule of Civil
3 Procedure 41(b). The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any
4 appeal of this Order would not be taken in good faith and would lack any arguable
5 basis in law or fact.

6 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this
7 Order, enter judgment, provide copies to Plaintiff at his last known address, and
8 **CLOSE** the file. The District Court Clerk also shall terminate any pending
9 deadlines in this action.

10 **DATED** October 5, 2022.

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12 *s/ Rosanna Malouf Peterson*
13 ROSANNA MALOUF PETERSON
14 Senior United States District Judge
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